

REMARKS

Claims 1-18 are pending in this application. Claims 19-23 have been added.

The Office Action dated February 9, 2005, and the references cited therein have been received and carefully reviewed. The issues raised in that Office Action were discussed during an interview on May 24, 2005, and, pursuant to MPEP 713.04, a statement of the substance of that interview is presented below.

STATEMENT OF THE SUBSTANCE OF INTERVIEW

A personal interview was conducted on May 25, 2005. Applicant's representative Scott Wakeman, Examiner Alina Boutah and Primary Examiner William Vaughn, Jr. were in attendance. No exhibits were shown. Claim 1 and the Sugiarto reference were discussed. Applicant's representative indicated that it was not clear from the Office Action what elements of Sugiarto were believed to correspond to "client data" and the "information collection condition" recited in the claims. The Office Action indicates that these elements are shown in paragraphs 6, 16, 20, 21, 22 and 24 of Sugiarto, but no element corresponding to the claimed client data and client data storage means appeared to be present in that reference.

The examiners refused requests to identify elements in Sugiarto corresponding to the limitations of claim 1, merely

referring Applicant's representative to paragraphs 20-22 of Sugiarto. Based on the interview, it appeared to Applicant's representative that the examiners were using Sugiarto's "configuration file" to meet the "data storage means which stores client data" and "information collection condition set means" limitations and that the URL's in the configuration file are believed to be the "information collection conditions" required by claim 1. When presented with this possible interpretation, the examiners refused to confirm or deny in writing that this was the interpretation being used, and reserved the right to disagree with this interpretation if it was presented in a statement of the substance of the interview.

Possible benefits of requiring that information collection be "automatic" were also discussed.

No agreement was reached.

TITLE

The title is objected to for being insufficiently descriptive. By the above amendment, the title has been changed to more specifically describe the claimed invention.

REJECTIONS UNDER 35 U.S.C. 102(b)

Claims 1-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Sugiarto. Because it is not believed that Sugiarto

shows or suggests the invention required by claims 1-18, reconsideration and allowance of these claims is respectfully requested.

Claim 1 requires a database server that includes, *inter alia*, 1) data storage means having a client data storage region which stores client data corresponding to the client and 2) information collection condition set means for setting, when the client data is modified, an information collection condition. From this claim language it can be appreciated that the information collection condition setting means are responsive to changes in the client data.

In Sugiarto, a user is provided with information from predetermined locations in a previously specified display format each time he sends asks for the information specified by his configuration file (paragraph 0025).

The Office Action does not make clear which element of Sugiarto is believed to correspond to Applicant's claimed data storage means having a client data storage region which stores client data corresponding to the client and which element of Sugiarto is believed to correspond to Applicant's claimed information collection condition set means for setting, when the client data is modified, an information collection condition. It appears that the Office Action may be using Sugiarto's configuration file to satisfy both these limitations. This

assumption will be used in responding to the Office Action. If this interpretation is not the one being used by the examiner, it is respectfully requested that in the next Office Action the examiner specify which element of Sugiarto is believed to correspond to Applicant's claimed "data storage means ... storing client data" and which element of Sugiarto is believed to correspond to Applicant's claimed "information collection condition set means for setting, when client data is modified, an information collection condition for specifying such information data as to be required by the claim in future based on the modification."

Claim 1 requires "data storage means having a client data storage region which store client data." Sugiarto does not show such a client data storage region storing client data. Claim 1 requires information collection condition set means for setting, when the client data is modified, an information collection condition. Sugiarto discloses user configuration files that include a list of URL's and formatting instructions for displaying information retrieved from those URL's. However, this list of URL's is set by a user. No information collection condition set means are disclosed, much less information collection condition set means that set information collection conditions when client data is modified ... based on the modification as required by claim 1.

If the user configuration file is being used to satisfy the "data storage means having a client data storage region which

stores client data" limitation then the remaining limitations of claim 1 are not satisfied. For example, when the alleged "client data," in the user configuration file is changed, Sugiarto takes no action "based on this modification" as required by claim 1. Sugiarto discloses no information collection condition set means that set information collection conditions based on changes to client data.

Claim 1 also requires data creation means that creates information data by a search performed according to the information collection condition. Sugiarto, however, performs no such search. Sugiarto discloses that, upon completion of editing the configuration file, the system server opens up an HTTP connection, fetches specified web pages from the internet and formats them into a single page. It is respectfully submitted a mere retrieval of web pages based on a list of URL's does not constitute a search. Sugiarto does not show or suggest information data creation means for creating information data by a search performed according to the information collection condition as required by claim 1. For the foregoing reasons, it is respectfully submitted that claim 1 is allowable over Sugiarto.

Claims 2-14 and 21-23 depend from claim 1 and are therefore submitted to be allowable for the same reasons as claim 1. In addition, claim 4 requires that an information collection condition set means be actuated upon access to/from the client. This

limitation is not shown or suggested by Sugiarto. Sugiarto specifically requires that a user initiate a request (paragraph 0025). Claim 4 further distinguishes over Sugiarto for this reason.

Claim 6 requires that the information collection condition set means set the information collection condition with reference to a keyword table. Sugiarto neither shows nor suggests such a keyword table. Claim 6 further distinguishes over Sugiarto for this reason.

Claim 8 requires that the information collection condition set means sets the information collection condition by using a record of information data collection performed in the past. This limitation is not shown or suggested by Sugiarto, and claim 8 is submitted to further distinguish over Sugiarto for this reason.

Claim 14 requires that separate client information include information on use status of the information data created by the information creation means in the past. This limitation is not shown or suggested by Sugiarto, and claim 14 is submitted to further distinguish over Sugiarto for reason.

Claim 15 stands rejected under 35 U.S.C. 102(b) as being anticipated by Sugiarto. Claim 15 requires "data storage means having a client data storage region which stores client data corresponding to the client" and "information collection condition set means for detecting a data modification in the client data

storage region and setting an information collection condition for specifying such information data as to be required by the client in future based on results of the detection." Claim 15 also requires information data creation means for creating information data by a search performed according to the information collection condition. Claim 15 is therefore submitted to be allowable for at least the same reasons provided above in connection with claim 1.

Claim 16 stands rejected under 35 U.S.C. 102(b) as being anticipated by Sugiarto. Claim 16 requires a step of detecting a modification of client data. Sugiarto does not disclose such a step, either in paragraph 0020 as indicated in the Office Action or in any other location. Claim 16 requires a step of setting an information collection condition for specifying such information data as to be required in the future based on the modification. This step is also not shown by Sugiarto. Claim 16 also requires a step of creating information data by a search performed according to the information collection condition. This step is also not shown by Sugiarto. Claim 16 and its dependent claim 17 are submitted to be allowable over Sugiarto for at least these reasons.

Claim 18 stands rejected under 35 U.S.C. 102(b) as being anticipated by Sugiarto. Claim 18 requires a step of detecting a data modification in a client data storage region, the client data corresponding to each client. This step is not shown or suggested by Sugiarto. Claim 18 further requires a step of creating an

information data by a search performed according to an information collection condition thus set. This step is not shown or suggested by Sugiarto. Claim 18 is submitted to be allowable for at least these reasons.

New claim 19 requires a method of collecting information that includes the steps of storing client data, setting an information collection condition and collecting information based on the information collection condition. Claim 19 further requires steps of detecting a modification of the client data, automatically changing the information collection condition based on the detected modification and collecting information based on the changed information collection condition. These steps are not shown or suggested by the art of record, and claim 19 is submitted to be allowable.

New claim 20 is also submitted to be allowable over the art of record. Claim 20 requires, *inter alia*, information collection condition set means for detecting a modification to the client data and, when a modification to the client data is detected, automatically setting an information collection condition for specifying such information data as to be required by the client in future based on the modification. It is respectfully submitted that Sugiarto does not disclose detecting modifications to client data and automatically setting an information collection condition when a modification to client data is detected as required by claim

20. Claim 20 is submitted to be allowable for at least this reason.

New claims 21-23 depend from claim 1 and are submitted to be allowable for the same reasons as claim 1. In addition, claim 21 requires that the information collection condition set means set the information collection condition automatically upon modification of the client data. Sugiarto does not show or suggest such automatic setting of an information collection condition. Claim 21 further distinguishes over Sugiarto for at least this reason.

Claim 22 further requires that the information collection condition set means sets the information collection condition based on schedule data contained in the client data. No such schedule data is shown or suggested by Sugiarto, and claim 22 further distinguishes over Sugiarto for at least this reason.

Claim 23 further requires that the information collection condition set means sets the information collection condition based on position information stored in the client data. No such position data is shown or suggested by Sugiarto and claim 23 further distinguishes over Sugiarto for at least this reason.

Each issue raised in the Office Action dated February 9, 2005, has been addressed, and it is believed that claims 1-23 are in condition for allowance. Wherefore, reconsideration and allowance of claims 1-18 and examination and allowance of claims 19-23 is

earnestly solicited.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Charles Gorenstein, #29,271

CG/STW
1248-0567P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000